

Board of Sumter County Commissioners

Division of Planning & Development

Code Compliance Department

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Website: <http://sumtercountyfl.gov>



SPECIAL MASTER HEARING January 28, 2010 @ 3:00 PM

Present: R. Lee Hawkins, Jr. - Special Master, Alysia Akins - Code Enforcement/Licensing Coordinator, Dwayne Ausley - Inspector, Lee Hartman - Chief Inspector, and Edd Kaman - Inspector.

Special Master Hawkins called the hearing to order at 3:00 PM and followed with the Pledge of Allegiance.

Special Master Hawkins entered the minutes of the Special Master Hearing from 12/17/09 into the record.

Matt Foreman, County Attorney, arrived at 3:05 PM.

Mr. Ausley and Mr. Kaman were sworn in.

OLD BUSINESS:

The following cases received Affidavits of Compliance with costs due:

CE2007-0589/See

CE2008-0493/Truss - Palka

The following case received an Affidavit of Non-Compliance:

CE2009-0002/Custer

The following case received an Affidavit of Pre-Hearing Compliance:

CE2009-0352/Paxton

NEW BUSINESS:

THE FOLLOWING CASES RECEIVED AFFIDAVITS OF PRE-HEARING COMPLIANCE:

CE2009-0184/Sonneville

CE2009-0237/Lollie

CE2009-0331/Caldwell

CE2009-0385/Lee

CE2009-0498/Homeland Realty

CE2009-0521/Helms

- 1) CASE #: CE2009-0430
NAME: KIMBERLY B NEVILLE
ADDRESS: 4207 W C-48, BUSHNELL
VIOLATION: 21-1(A) & (B)
INSPECTOR: DWAYNE AUSLEY
RECOMMENDATION: **TABLE TO 2/25/10 HEARING**

Special Master Hawkins moved to table this case to the 2/25/10 hearing as recommended by staff. Special Master Hawkins advised staff to re-notice the Respondent accordingly.

- 2) CASE #: CE2009-0528
NAME: ANTHONY WAYNE MCDOW
ADDRESS: 6975 CR 607B, BUSHNELL
VIOLATION: 6-104(2), 6-104(5), 13-E.2.1.1(A)(3)
INSPECTOR: EDD KAMAN
RECOMMENDATION: **TABLE TO 2/25/10 HEARING**

Special Master Hawkins moved to table this case to the 2/25/10 hearing as recommended by staff. Special Master Hawkins advised staff to re-notice the Respondent accordingly.

- 3) CASE #: CE2009-0505
NAME: ROBERT & JANET L DINGLE
ADDRESS: 1218 SPARTANBURG WAY, THE VILLAGES
VIOLATION: 6-104(3)
INSPECTOR: LEE HARTMAN
RECOMMENDATION: **TABLE TO 3/25/10 HEARING**

Special Master Hawkins moved to table this case to the 3/25/10 hearing as recommended by staff at the Respondents' attorney's request. Special Master Hawkins advised staff to re-notice the Respondent accordingly.

- 4) CASE #: CE2009-0506
NAME: DONALD MAYO CLAYTON III
ADDRESS: 1345 CR 441, LAKE PANASOFFKEE
VIOLATION: 6-104(5) & 13-E.3.1.2 SHC 305.3.2
INSPECTOR: DWAYNE AUSLEY
RECOMMENDATION: **HEAR CASE**

The Respondent was not present. The Respondent was sent a Notice of Hearing via certified mail, and the property was posted regarding the code case that began on 11/16/09. The property has homestead exemption. Mr. Ausley's last visit to the property was on 1/28/10, and the property remains in violation. Mr. Ausley submitted photos of the violations taken on 1/28/10 into the record. Mr. Ausley testified the overgrowth on the property is over 24" in some areas and the residence has missing soffit, making it open to animals and moisture.

Mr. Ausley recommended the Respondent bring the property into compliance and pay staff costs in the amount of \$361.06 upon the date of the Order. If not, a \$20 daily fine be ordered until the property is found in compliance and staff costs are paid.

Special Master Hawkins found the property in violation based on staff's testimony. The Respondent was ordered to bring the property into compliance by the date of the Order by mowing the grass, repairing the soffit, and paying staff costs in the amount of \$361.06. If not, a \$20 daily fine will be assessed until the property is found in compliance and staff costs are paid.

5) CASE #: CE2009-0504
NAME: JUMPER CREEK JOINT VENTURE
ADDRESS: 2330 SE 75TH BLVD, BUSHNELL
VIOLATION: 6-104(5)
INSPECTOR: EDD KAMAN
RECOMMENDATION: **HEAR CASE**

The Respondent was not present; however, Chris Robitzer, homeowner within the subdivision, was present and sworn in. The Respondent was sent a Notice of Hearing via certified mail, and the property was posted regarding the code case that began on 10/29/09. The property does not have homestead exemption. Mr. Kaman's last inspection was on 1/28/10, and the property remains in violation. Mr. Kaman submitted photos of the violations taken on 1/28/10. Mr. Kaman testified the lot in question along with the vacant/abandoned lots within the subdivision, including the retention ponds, are overgrown.

Mr. Robitzer testified he resides within the subdivision, in which approximately 40 homes are occupied and about a dozen homes are incomplete. Mr. Robitzer testified the abandoned home next door has been vandalized and the vacant lots within the subdivision are not being maintained.

Mr. Kaman recommended the Respondent bring the property into compliance and pay staff costs in the amount of \$361.06 upon the date of the Order, or pay a \$50 daily fine until the property is found in compliance and staff costs are paid.

Mrs. Akins clarified this code case is regarding one lot only and there is an additional code case regarding the vacant lots in violation within the subdivision.

Special Master Hawkins found the property in violation based upon staff's testimony. Special Master Hawkins ordered the property be brought into compliance by mowing the grass and paying staff costs in the amount of \$361.06 upon the date of the Order. If not, a \$20 daily fine will be assessed for each and every day the property remains in violation and staff costs remain unpaid.

6) CASE #: CE2009-0365
NAME: AMANDA FRIEND
ADDRESS: 9333 CR 645, BUSHNELL
VIOLATION: 6-104(5) & 6-104(4) & 13-E.3.1.2 SHC 307.4
INSPECTOR: EDD KAMAN
RECOMMENDATION: **HEAR CASE**

The Respondent was not present. The Respondent was sent a Notice of Hearing via certified mail, and the property was posted regarding the code case that began on 8/17/09. The property does not have homestead exemption. Mr. Kaman's last inspection was on 1/28/10, and the property remains in violation. Mr. Kaman submitted photos of the violations taken on 1/28/10 into the record. Mr. Kaman testified overgrowth, gas cans, oil, and broken windows remain; however, the inoperable vehicles in violation have been removed.

Mr. Kaman recommended the Respondent bring the property into compliance and pay staff costs in the amount of \$361.06 upon the date of the Order. If not, a \$20 daily fine be ordered until the property is found in compliance and staff costs are paid.

Special Master Hawkins found the property in violation based on staff's testimony. The Respondent was ordered to bring the property into compliance by removing the debris, mowing the grass, repairing the windows, and paying staff costs in the amount of \$361.06 by the date of the Order. If not, a \$20 daily fine will be assessed until the property is found in compliance and costs are paid.

7) CASE #: CE2009-0246
NAME: THELBERS REASCH
ADDRESS: 4204 CR 656, WEBSTER
VIOLATION: 13-41 & 13-713(I)(1)(F)
INSPECTOR: EDD KAMAN
RECOMMENDATION: **HEAR CASE**

The Respondent was not present. The Respondent was sent a Notice of Hearing via certified mail, and the property was posted regarding the code case that began on 6/12/09. The property has homestead exemption. Mr. Kaman's last visit to the property was on 1/28/10, and the property remains in violation. Mr. Kaman submitted photos of the violations taken on 1/28/10 into the record. Mr. Kaman testified the Respondent is allowed 3 semi-trucks w/trailers; however, he has witnessed more than 3 present on the property. Mr. Kaman also testified there appears to be reefer units running continuously.

Mr. Kaman recommended the Respondent bring the property into compliance and pay staff costs in the amount of \$711.06 upon the date of the Order. If not, a \$50 daily fine be ordered until the property is found in compliance and staff costs are paid.

Special Master Hawkins found the property in violation based on staff's testimony and stated for the record that this Respondent is a "repeat violator". The Respondent was ordered to bring the property into compliance by removing any excess semi-trucks and trailers and paying staff costs in the amount of \$711.06 by 2/25/10. If not, a \$50 daily fine will be assessed until the property is found in compliance and costs are paid.

There was no further business to discuss; therefore, Special Master Hawkins adjourned at approximately 3:40 PM.